



TPW

Attorney Docket No. 033082 M 278

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) **CONFIRMATION NO.: 4274**
Yasushi HAYASHIDA, et al.)
U.S. Serial No.: 10/551,225) Group Art Unit: 3651
Filed: September 28, 2005) Examiner: Ramya G. Prakasam

For: SUBSTRATE PROCESSING SYSTEM, AND METHOD OF CONTROL THEREFOR,
CONTROL PROGRAM, AND STORAGE MEDIUM

SUPERSEDING RESPONSE TO NOTICE OF NON-COMPLIANT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir :

This supersedes the undersigned's Response of September 2, 2008, which Response replied to the U. S. Patent and Trademark Office (USPTO) communication of August 20, 2008. This superseding paper is submitted because the September 2, 2008 Response inadvertently omitted new dependent claim 32.

Both this paper and the September 2nd Response address the August 20th USPTO communication which will be referred to as to the "Notice." The Notice purports that the undersigned's response to the Election of Species of April 30, 2008 was not fully responsive.

As stated in the undersigned's Response of September 2nd, the undersigned believes the USPTO's Notice of August 20, 2008 to have been issued in error. However, in order to expedite prosecution of this application, this paper submits a current, complete listing of claims which accounts for original claims 1-28 that were canceled, and the new claims 29-32 that were added, all during the international phase by an Amendment under Article 34. The listing of claims is

attached. In addition, the undersigned notes that the Article 34 Amendment and its translation both were submitted with this application on September 28, 2005. As such, it is submitted that pending claims 29-32 should have been examined, and that the election requirement issued on April 4, 2008 was unnecessary.